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COMMISSION ON HUMAN RIGHTS

Fifty-second session

SUMMARY RECORD OF THE 54th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 22 April 1996, at 10 a.m.

Chairman:	Mr. LEGAULT (Vice-Chairman)	(Canada)
later:	Mr. VERGNE SABOIA (Chairman)	(Brazil)

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RIGHTS OF THE CHILD, INCLUDING:

(a) STATUS OF THE CONVENTION ON THE RIGHTS OF THE CHILD;

(b) REPORT OF THE SPECIAL RAPPORTEUR ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY;

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STATEMENT BY THE VICE PRIME MINISTER OF EQUATORIAL GUINEA

STATEMENT BY THE FOREIGN SECRETARY OF BANGLADESH

The meeting was called to order at 10.25 a.m.

RIGHTS OF THE CHILD, INCLUDING:

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(agenda item 20) (continued) (E/CN.4/1996/98-102, 110 and Add.1, 121 and 132; E/CN.4/1996/NGO/33, 39, 42, and 72; A/50/537; E/CN.4/Sub.2/1995/29 and Add.1)

1. Mr. MBA ALLO (Gabon) said that the way in which children were actually being treated did not reflect the good will which 187 States had expressed when they had ratified the Convention on the Rights of the Child. In Africa, for example, nearly 3 million children under five years of age died annually from acute respiratory infections, malaria, diarrhoeal diseases, malnutrition or measles. It was thus more necessary than ever to strengthen international cooperation for protecting and promoting the rights of children.

2. The determination with which the international community tackled the problems of the sale of children, child prostitution, child pornography and the participation of children in armed conflicts would be important for deciding the degree of confidence and security with which the world's children could face the future. His delegation was in favour of the proposed optional protocols to the Convention on the Rights of the Child on those subjects. In any case, children should not be recruited for military service under the age of 18.

3. There was no better investment for development than investment in children. In that connection, he wished to pay special tribute to the United Nations Children's Fund (UNICEF) for its work in support of children in the world in general and in Gabon in particular.

4. Ms. TIMBERLAKE (Joint United Nations Programme on HIV/AIDS (UNAIDS)) said that more than 50 per cent of the persons newly infected by HIV were aged between 15 and 24 and that the drastic increase in the rate of infection among women meant a corresponding increase in HIV-infected babies born to them. To date, 1.5 million children under the age of five had been infected with HIV, more than half a million of whom had already developed AIDS. Moreover, by the year 2000, AIDS would have robbed almost 5 million children of one or both parents. In addition, many children had to face the trauma of their own sickness and impending death or watch their parents grow sick and die, or

lived in homes suffering from decreasing incomes or faced cruel stigma and discrimination because of HIV. Others were abandoned or orphaned, often becoming street children.

5. National and international organizations were trying to help families and children affected by HIV. The human rights framework established to protect the rights of children provided a framework to protect them from HIV/AIDS, and, if it were utilized, Governments would decrease children's vulnerability to HIV, protect them against HIV discrimination and provide them and their families with the support and services they needed.

6. Children and adolescents were often denied access to the HIV education, information, health care and means of prevention available to adults, often as a result of the application of cultural, religious and social norms. However, either ways to provide appropriate education and support to children must quickly be found within the context of those norms, or the norms themselves must change. The alternative was the avoidable infection and early death of millions of young people.

7. Studies had shown that sex education and HIV education did not encourage sexual activity. In fact, such education encouraged adolescents to postpone sex and to practise safe sex if they engaged in it at all. Special efforts should therefore be made to provide such education to children who were hard to reach, such as the children of minorities and indigenous peoples and street children.

8. UNAIDS welcomed the report of the Special Rapporteur on the sale of children, child prostitution and child pornography, since all sexual exploitation and abuse increased the risk of infection by HIV. Efforts to stop those practices should include HIV concerns. Sensitivity training with regard to the HIV-related needs of victims should be given to police and to legal, health and social-service staff. In particular, parents and the child victims themselves should receive counselling concerning such difficult issues as voluntary testing for HIV and should receive support if a child was found to be positive.

9. Public-information campaigns against child abuse and sexual exploitation, as well as education campaigns aimed at families, children and adolescents, should explain the risks of infection, means of protection and services available if infection occurred. Lastly, to reduce the impact of HIV and AIDS, Governments must stop discrimination based on HIV status.

10. UNAIDS would do all it could to promote and support programmes to protect children in the face of the HIV/AIDS epidemic. It asked the Commission, other United Nations human rights bodies, Governments and non-governmental organizations (NGOs) to take the lead in protecting the rights that would protect children who had to live in a world with HIV/AIDS.

11. Mr. RUAI (Observer for the Sudan) said that his country had been one of the initiators of the Convention on the Rights of the Child and among the first to ratify it without any reservations. Since then, all national

legislation pertaining to children had been duly reviewed and revised to bring it into line with the provisions of the Convention, and the welfare of children had been made a constitutional obligation on the Government.

12. His delegation commended the Special Rapporteur on the sale of children, child prostitution and child pornography on her excellent work and supported her recommendations. It also fully supported the proposed optional protocol on the involvement of children in armed conflicts and urged the Working Group to conclude its task as soon as possible. The convening of the World Congress against Commercial Sexual Exploitation of Children was a welcome development and his Government had already established a core group to prepare its contribution thereto.

13. His Government had adopted effective preventive and corrective measures for street children, who were a recent phenomenon in the country, as a result of the civil war in the south and natural disasters in the west. The Government had been trying to gather the children concerned into special camps where they followed a rehabilitation programme. Education, vocational training and health services were made available to them before they were reintegrated into society or reunited with their families. The children concerned were not abducted or subjected to any religious or political indoctrination.

14. Sudanese law prohibited the recruitment or conscription of minors under the age of 18 into military forces, and his Government had been advocating, in international forums, that urgent steps be taken to put an end to the practice. It had also been appealing to the United Nations and to human rights organizations to assist in ending the sufferings of Sudanese children who had been forcibly removed from their parents and refugee camps and conscripted by the rebel movement in southern Sudan.

15. There had been some incidents in which the security forces had attempted to capture conscription evaders, but the Government had instructed them to halt such practices and to apply more persuasive measures, including a sympathetic hearing for cases eligible for exemption from conscription. In that connection, his delegation wished to inform the Commission that the information contained in a document circulated by the World Federation of Democratic Youth (E/CN.4/1996/NGO/42) was absolutely incorrect.

16. Furthermore, trafficking in children did not take place in Sudan, although some tribal and traditional practices had been misinterpreted by certain circles to imply that it did.

17. Mr. STRIJAK (International Federation of Red Cross and Red Crescent Societies) said that armed conflicts affected children in a number of ways. Most of the civilians killed in military attacks were children, anti-personnel land-mines caused children to lose legs, eyesight and hearing, armed conflicts led to large-scale displacements of children, and many children were born and reared in refugee camps or suffered from the effects of sanctions. The Federation therefore supported the study being undertaken by Mrs. Machel.

18. The Federation was also committed to the principle that children under 18 should not be recruited for armed conflicts and that all child

victims of armed conflicts should be protected and assisted. The drafting of an optional protocol to the Convention on the Rights of the Child on involvement of children in armed conflict provided an opportunity to improve their protection substantially. In December 1995, the Federation had adopted a resolution urging parties to conflicts to ensure that children under 18 did not participate in hostilities, and it welcomed the fact that there was virtual agreement on that age-limit in the Working Group preparing the optional protocol. It would, however, favour a wording more in line with that of its own resolution, which did not distinguish between direct and other types of participation.

19. In particular, the Federation was opposed to "voluntary recruitment", whereby children would be able to enlist under the age of 18 but would not be allowed to participate in conflict before that age. Most States seemed to accept that position, and the Federation urged the Governments that were not yet ready to accept a minimum age for voluntary recruitment not to hinder the development of the optional protocol. A text affording explicit, real and substantial protection was preferable to a compromise text without clear improvements in key areas.

20. Ms. LAUDATU (Observer for Romania), having endorsed the views expressed by the spokesman for the European Union, said that the Romanian National Committee for the Protection of Children had recently drawn up a National Plan of Action. Until 1990, the arrangements for the protection of children in Romania had been highly centralized, fragmented among various ministries, and unsuitable for meeting children's needs. The new strategy was based on the consolidation of the family or, in its absence, of family-type institutional alternatives. The policy behind it was decentralized and implemented through concerted and coherent activities. Decentralization was accompanied by the involvement of civil society.

21. Since the main problem was the large number of children placed in institutions, the National Plan of Action focused on specific objectives including the opening of smaller institutions better adapted to the needs of children, the preparation of children for leaving institutions and their adaptation to natural social environments, and the rehabilitation of certain institutions.

22. Action had been taken to consolidate the families of children at risk with a view to preventing institutionalization, to develop family-type alternatives and to use NGOs for setting up social services. Pilot programmes for preventing child abandonment and institutionalization were under way, aimed at the establishment of family-support and child-protection centres.

23. The National Plan of Action also involved local authorities, international organizations and Romanian and foreign NGOs. Noteworthy, in that connection, was the approval by the UNICEF Executive Board of the programme of cooperation between Romania and UNICEF for the period 1995-1999, the main purpose of which was to improve the living conditions of women and children in the difficult transitional period which Romania was currently undergoing.

24. Ms. BLOEM (World Federation of Methodist Women), speaking on behalf of 33 NGOs,* said that continuing discrimination against the girl child and the lack of value accorded to girls in certain countries reinforced the low status and low self-esteem of women and adversely affected society as a whole. At the Fourth World Conference on Women, many Governments had acknowledged that the skills and energies of females were vital for sustainable development and had committed themselves to promoting education and health care for girls. Unfortunately, there was a discrepancy between the pledges made and the reality experienced by women and girls worldwide.

25. She urged the Commission to take the following action: to ensure complete reporting on the Programme of Action for the Prevention of the Sale of Children, Child Prostitution and Child Pornography, paying particular attention to the situation of girls; to provide more comprehensive sex-segregated data, particularly with regard to sexual exploitation; to give priority to the recommendations of the special rapporteurs, in particular the recommendations concerning violence against women and the sale of children, child prostitution and child pornography; to consider holding another seminar on the situation of the girl child, which would address inter alia the relationship between religious discrimination and the rape of girl children; and to integrate gender into the guidelines of all treaty bodies.

26. It was no longer tolerable that female children should be deprived of the right to life as a result of a preference for boy children. In some countries, prenatal sex selection was practised, resulting in numerous abortions of female foetuses. Girl children were also killed or simply abandoned.

27. She thus welcomed the adoption by the Government of India of the Pre-Natal Diagnostic Techniques Act of September 1994 as a measure to prevent female foeticide and the Indian Government's current consideration of a programme of action to eradicate female infanticide. She also welcomed the recent agreement concluded between China and UNICEF on a programme for the care of orphaned, abandoned and disabled children living on welfare.

28. Other harmful traditional practices, including female genital mutilation, food taboos, early marriage and violence related to dowry issues, must be eradicated through legislation and attitude change and, in that connection, she drew attention to the recommendations by the Special Rapporteur on traditional practices affecting the health of women and children.

29. The sexual exploitation of girls represented another serious human rights violation. The alarming rise in female child prostitution was linked to the fear of AIDS, an increase in sexual tourism, and the imperatives of male sexuality and wealth. She hoped that the forthcoming first World Congress against Commercial Sexual Exploitation of Children, would help mobilize the international community into making a reality of the principles of the Convention on the Rights of the Child.

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* The list of the non-governmental organizations is annexed to this summary record.

30. Mr. Vergne Saboia (Brazil) took the Chair.

31. Ms. HERREL (International Abolitionist Federation), speaking on behalf of eight members of the subgroup on the sexual exploitation of children of the NGO Group for the Convention on the Rights of the Child, said that social, educational, economic and legislative measures were needed to prevent the sexual exploitation of children.

32. There was a need for compulsory primary education for all, accelerated literacy programmes, particularly for women and girls, and formal and non-formal vocational training. Education was instrumental in providing the means to achieve economic independence, promoting self-reliance and increasing resistance to the lure of "easy money".

33. The enticement of non-essential products and status were among the factors which motivated children to submit to paid sex. Governments should, therefore, promote lifestyles which were based on ethics and values, including public recognition of altruistic and non-consumerist behaviour. Poverty nevertheless remained the principal cause of the sexual exploitation of children.

34. Preventive psychosocial services for potential perpetrators of sexual offences against children might be effective. Those actually committing offences should, however, be subject to severe penalties, as should procurers, intermediaries and accomplices. The justice system played a crucial role not only in remedial action but also in prevention and, in that connection, she welcomed the fact that several countries had passed or reinforced legislation against the sexual exploitation of children.

35. While encouraging steps had been taken by some countries, there was need for more research on and greater support for the problem of the rehabilitation and reintegration of abused children. A patient and persevering approach based on empathy, respect and affection could help at least some victims regain self-esteem and overcome the consequences of their traumatic experience.

36. Greater public awareness of the issue to was also needed and the forthcoming World Congress against Commercial Sexual Exploitation of Children, would undoubtedly assist in that regard.

37 Mr. TEITELBAUM (American Association of Jurists), speaking also on behalf of Centre Europe-Tiers Monde, said that, despite almost universal acceptance of the Convention on the Rights of the Child, there was opposition to the adoption of an optional protocol relating to the sale of children, child prostitution and the use of children in pornography. Opponents argued that the protocol would establish an undue hierarchy of the various rights set forth in the Convention and that the existing legislation was sufficient.

38. Others argued that any such protocol should refrain from dealing with the traffic in organs and unlawful adoption, stating that there was no proof that any traffic in organs existed. However, the Brazilian Federal Police had reported to an ICPO/Interpol symposium that it was concerned at the extensive marketing of Brazilian children's organs abroad. Article 21 of the Convention

was obviously inadequate to protect children in international adoption, especially from trafficking. While the 1993 Hague Convention constituted a significant step forward in respect of the civil aspects of international adoption, there were still legal lacunae in the international repression of illegal adoption.

39. Serious violations of children's human rights, which left indelible traces on their souls, were unfortunately on the rise throughout the world. It was thus essential to establish repressive international legislation which provided for cooperation between States and methods of universal jurisdiction such as those established by the Convention Against Torture.

40. Mr. GREENALL (International League for the Rights and Liberation of Peoples) said that the Convention on the Rights of the Child was the most successful human rights instrument in terms of ratification and it was incumbent on every Government to ensure that it became equally successful in terms of implementation. To that end, an optional protocol outlawing the sale and prostitution of children and their involvement in pornography must be generally supported. Universal recognition of the Convention and its optional protocols would help to set new precedents in terms of international cooperation and the protection of human rights.

41. Serious violations of the Convention were reported in Bahrain and the Sudan, both of which were States parties. In the former country, children were often arbitrarily arrested in connection with peaceful demonstrations or simply taken into custody as hostages for their adult relatives. In the latter country, young children, often from displaced families, were abducted, forcibly conscripted into the army, given military training and ideological indoctrination and used in combat.

42. Those cases were examples not only of the wider human rights problems in the two countries in question but also of a worldwide human rights problem. Such treatment of children had a bearing on the human rights of future generations since it could not but serve to perpetuate the violations of the rights of individuals and peoples that the Commission was working to eradicate. A start must be made by educating children in the universal ethics of peace and humanity so that they would not make the mistakes of the past.

43. Ms. BRETT (Friends' World Committee for Consultation) said that the Child Soldiers Research Project, undertaken by her organization and others, demonstrated that the main reason why children were recruited into government armed forces and armed opposition forces was because of the shortage of manpower and because children were available and were less capable of opposing illegal recruitment than adults, but also because they were easier to train and control. Those most likely to be recruited were unaccompanied or marginalized children, children from the conflict areas themselves and children without documentation to prove their age. Volunteer child recruits came mainly from the same categories.

44. The single greatest cause of children volunteering to join armed opposition groups was ill-treatment of the children themselves or their families by government armed forces.

45. Children were sometimes seen as easier to persuade to undertake dangerous activities or commit atrocities or suicide attacks and were also favoured as decoys and spies.

46. The Project's report would also include sections on treatment of children in armed forces and groups, and on capture; demobilization, rehabilitation and reintegration; preventive strategies; and recommendations for Governments, armed opposition groups, the international community and NGOs.

47. Mr. SONI (Himalayan Research and Cultural Foundation) said that, in blatant violation of the Convention on the Rights of the Child, armed terrorists and mercenaries sponsored by Pakistan had been forcing children in the Indian State of Jammu and Kashmir to carry intelligence, arms and explosives. Many young teenagers had been forcibly enrolled into military training camps.

48. The terrorists had destroyed thousands of schools and killed or driven out large numbers of teachers to deprive Kashmiri children of modern secular education and force them to attend religious schools where obscurantism, hatred and intolerance were preached. Moreover, the atmosphere of communal hatred, terror and violence unleashed by Pakistan had deprived the children of an environment of peace, security, social harmony and coexistence.

49. The Commission and NGOs must put pressure on Pakistan to stop terrorist activities in Jammu and Kashmir so as to protect and promote the rights of children there.

50. Mr. GRAVES (African Commission of Health and Human Rights Promoters) said that his organization, which was greatly concerned about the traumatic effect of war and armed conflicts on children in Rwanda, Uganda and Eritrea, was involved in the treatment and rehabilitation of children who had suffered extensively from the various conflicts in those countries and appealed for international assistance in that work, which included care of the victims of rape and torture and general physical and psychiatric treatment. Smaller numbers of cases in other African countries were also being cared for.

51. The situation of the large numbers of children affected by the enforced population displacements in Lebanon, especially as a result of recent events, was also a cause for serious concern.

52. His organization thus supported the efforts of the United Nations and NGOs to rehabilitate child victims of armed conflicts. Joint action by local and international medical expertise in support of local institutional initiatives was the best way of handling that crucial problem, which was extremely complex and required an adequate social and family context. The local environment was undoubtedly the best one for curing traumatized children and all possible international assistance should be provided to local support groups. The international community should not turn a deaf ear to that evident humanitarian need.

53. Mr. MENDEZ (Commission for the Defence of Human Rights in Central America) said that all the States of Central America had signed and

ratified the Convention on the Rights of the Child but its provisions were often violated and ignored. In Honduras and Nicaragua, there were even regulations in flagrant violation of the Convention.

54. In Guatemala, there were no policies covering the population aged between 5 and 18 and children were forced to work to supplement the family income; 21 per cent of them lived in poverty and 31 per cent of those between 7 and 14 did not attend school. Moreover, in Guatemala - as in Colombia - hundreds of street children were tortured and subjected to social cleansing campaigns by the forces of law and order.

55. In Costa Rica, despite some legislative progress, the Convention had not been generally publicized or disseminated among State institutions dealing with youth affairs. A new law on juvenile delinquency tried young adolescents as adults, with lighter sentences for those between 12 and 14 and tougher sentences for those between 15 and 17. If that was not rectified, Costa Rica could well find itself in the same situation as El Salvador where, because of the dearth and inadequacy of juvenile detention centres, minors were held in overcrowded facilities with adults. Belize, too, had not brought its legislation into line with the provisions of the Convention. In Panama, however, approval of the new Family Code would bring domestic legislation on children into line with the international standards.

56. In Colombia, children were still being recruited for use in combat and, he urged the Commission to appoint a special rapporteur on the situation in that country. It should also appoint a thematic special rapporteur on the question of street children.

57. Ms. RUESTA de FURTER (International Federation of University Women) said that the members of the Committee on the Rights of the Child must have knowledge of a wide range of disciplines. Their workload was so heavy that it was not surprising if mistakes were sometimes made. For example, in urging two countries to withdraw their reservations to article 21 of the Convention, the Committee had overlooked the fact that the article in question was highly ambiguous and in need of revision so as to prevent adoption from being used as a money-making instrument. The Committee had also expressed its opposition to the elaboration of a protocol to prevent trafficking in children, although most States parties felt the need for such a protocol. The States parties should look into the possibility of increasing the Committee's membership so as to enable it to work more effectively.

58. The report of the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/1996/100) broke new ground and proposed some interesting legal definitions. The progress made by the working groups responsible for elaborating optional protocols to the Convention concerning children in armed conflicts and the sale of children was likewise noteworthy.

59. Mr. CUNNIAH (International Confederation of Free Trade Unions) said that the continued exploitation of child labour was a direct contradiction of the overwhelming support given to the Convention by its nearly 200 parties. The International Labour Organization (ILO) statistics showed that between 100 and

150 million children under the age of 15 were being robbed of their childhood. Child labour was prevalent in many developing countries and not unknown in some industrialized ones.

60. Though most common in agriculture and the informal sector, child labour was increasingly used in export industries such as textiles, clothing, carpets and footwear and it was unacceptable that such products should have free access to international markets. It was particularly repulsive that employers should exploit children while thousands of adults were unemployed. The phenomenon of child labour was certainly influenced by poverty, population growth and inadequate educational facilities but the notion that it was inevitable must be roundly rejected.

61. ILO was leading the battle against child labour, the main weapon being standards such as the Minimum Age Convention, 1973 (No. 138) and his own organization had launched a campaign to increase public awareness of the problem and promote the ratification and observance of ILO standards. The campaign emphasized the physical and psychological risks to which children were exposed through their labour.

62. The most pernicious form of child labour was child bondage. The Working Group on Contemporary Forms of Slavery had estimated that there were millions of child slaves throughout the world, mainly in South Asia. Many child slaves were to be found in plantations, domestic work, the sex industry, quarrying and brick-making.

63. Ms. DARGEL (World Organization of Former Pupils of Catholic Education) said that the major religions of the world had been based on human rights long before those rights had been codified. Schoolteaching was a vocation, but if teachers merely transmitted information, they simply built up indifference. If their pupils no longer knew what they were living for, they would cease to be alive to one another and to the world and would despise and destroy rather than tend and nurture the world's common heritage. It was not by emptying schoolteaching of all that was spiritual, but rather by professing and living a creed, that human rights and freedoms in their entirety could best be promoted and fostered.

64. Article 14 of the Convention on the Rights of the Child referred to the "evolving capacities of the child". Those words had an ironic ring in a world where children were the targets or perpetrators of armed attacks, where the only school was the street, their only care survival and avoiding starvation, vivisection or sexual exploitation. Her organization strongly supported the proposed draft optional protocols to the Convention.

65. Ms. PARKER (International Educational Development, Inc.) said that Iraqi children were suffering unspeakable horrors as a direct result of economic sanctions and the illnesses, disabilities and deformities caused by radioactive residue from weapons used by the United States during its military operations against Iraq. Statistics from the Food and Agriculture Organization (FAO) showed that 560,000 children had died since the end of the war and that some 5,000 were dying every month. Her organization and more than 20 other NGOs called for immediate medical and humanitarian aid for Iraqi civilians and full disclosure of the facts and compensation for victims of

weapons or waste containing depleted uranium. Many children born in the United States after the war had disabilities and deformities linked to the exposure of their parents to depleted uranium during their military duty.

66. She welcomed the work of the expert on the involvement of children in armed conflicts and asked her to include in her forthcoming report an investigation of the tragic situation of Iraqi children.

67. Mr. RAM (Nepal) said that virtually the entire comity of nations was committed to the Convention on the Rights of the Child but children were still working in factories, being orphaned and handicapped by civil war, playing in minefields, scavenging food from mountains of garbage or serving as the focus of sex tourism. The work being done by the relevant special rapporteurs was thus invaluable.

68. Nepal had ratified the Convention in 1989. His Government was currently establishing a human rights commission which would operate as an independent body or court, its findings having the force of law. Despite the country's fragile economy, the Government had formulated a programme of action for children which covered various aspects of child development such as nutrition, health, compulsory education and poverty alleviation. A national council for child development and a child welfare board had likewise been established.

69. The percentage of uneducated citizens in Nepal exceeded the educated, and was even worse in rural areas. Essay, poetry and poster competitions had therefore been organized to publicize the Convention. The age-old tradition of discriminatory treatment of female children had been prohibited by law, and any discriminatory laws that were still on the books could thus be challenged, judicially reviewed and declared void.

70. Compulsory and free primary education for all children would be implemented by the turn of the century. Current enrolment was nearly 80 per cent. Orphans and illegally employed minors were being rehabilitated and educated, and plans had been prepared to build and operate a home for orphans and abandoned children. The task was far from completed, but Nepal was doing its best to meet the challenge of ensuring children's rights.

71. Miss HERNANDEZ QUESADA (Cuba) said that, in view of the expressed commitment of all the Commission's members to the rights of the child, negotiations on the topic should be fairly straightforward, but they had been characterized by a lack of openness and political will and marked by numerous irregularities. Rather than working on the problem of the involvement of children in armed conflicts, the Commission could more usefully concentrate on economic and social evils such as the sale of children and their organs, child prostitution and pornography, inadequate schooling and health care, malnutrition and discrimination.

72. In the developed world, a good profit was being made from the sale of children and their organs, fraudulent adoption and child pornography and prostitution, while, in the developing world, extreme poverty led parents to sell or give up their children to the demands of the market. The survival, development and participation of children in modern society was at risk if effective measures to combat the sale of children and their organs, child

prostitution and pornography were not adopted. No laws, conventions or protocols would have the slightest effect unless they were the vehicle for a political will to develop true international cooperation that would enable the countries of the South to strike at the root causes of the phenomena.

73. The persistence of those problems proved the need to move forward on the elaboration of the draft optional protocols on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflicts. Her delegation would do its utmost to ensure the success of both enterprises.

STATEMENT BY THE VICE PRIME MINISTER OF EQUATORIAL GUINEA

74. Mr. MBENGONO (Equatorial Guinea) said that his Government's objectives were to ensure individual freedoms and respect for human rights, maintain peace, order and territorial integrity, and promote socio-economic and political development, all within in a framework of dialogue, tolerance and national harmony, and to cooperate in a friendly spirit with international organizations and the international community.

75. The process of democratization had begun with the approval by referendum of the Constitution or Fundamental Law of the Republic of Equatorial Guinea, which had legalized the status of 14 political parties. That had been followed by a series of legislative acts designed to strengthen pluralism, regulate the electoral process and ensure popular participation in political life.

76. In March 1993, the 14 opposition parties and the Government had concluded a National Pact, resulting in legislative elections in November of that year which had led to the formation of a genuinely pluralistic parliament. Noteworthy also was the promulgation of a general amnesty law, which applied to both exiles and political prisoners, and the enactment of a law on religious freedom.

77. The Special Rapporteur on the situation of human rights in Equatorial Guinea had visited the country in May 1995. In his report (E/CN.4/1996/67) the Special Rapporteur noted progress in the situation of human rights and the Government's determination to ensure rights and fundamental freedoms and promote democracy and political pluralism. The Special Rapporteur also noted a significant improvement in the situation of political parties and greater freedom of expression. In that spirit, his Government had carried out an electoral census on the basis of which the country's citizens had registered to vote.

78. In the municipal elections, held in September 1995 with the assistance of international observers, 9 of the 27 municipal governments including the capital, had been won by opposition parties. In other cases, municipalities were being run by coalitions of government and opposition parties.

79. A presidential election had been held in February 1996. The State had provided all the official candidates with subsidies and updated voting lists. Of the 14 political parties in the country, 5 had supported the candidacy of Mr. Nguema Mbasogo and the remaining opposition parties had, for internal

reasons, been unable to reconcile their interests, with the result that three of the five presidential candidates had dropped out two days before the election. The election had been conducted in a positive atmosphere, overseen by international observers, without any protest or violence. Mr. Nguema had won the election by an absolute majority, 86 per cent of the population having voted.

80. As a demonstration of his resolve to promote understanding among all parties, President Nguema had consulted the leaders of the main political groups and integrated them into his Government.

81. His Government was committed to the promotion and protection of human rights and would continue to cooperate with United Nations bodies working in that area. While always willing to accept constructive criticism, however, it rejected baseless criticism by persons with hidden agendas. It hoped that the mandate of the Special Rapporteur would not be limited to examining situations of civil and political rights but would also cover economic rights.

82. The most vulnerable population groups in his country were suffering from the adverse effects of an economic blockade, imposed by those with hidden agendas. Since 1992, the European Union had frozen the implementation of a number of social and humanitarian programmes for which funds had already been allocated, including a water-treatment project, a medical-assistance project, a project to integrate remote rural areas and a project for the conservation of forestry resources.

STATEMENT BY THE FOREIGN SECRETARY OF BANGLADESH

83. Mr. SOBHAN (Bangladesh) said that the last 50 years had shown that consolidation of human rights institutions and instruments would improve the prospects for peace and render possible the desired degree of sustainable development. Indeed, there were certainly enough instruments and bodies to draw attention to violations of human rights. However, the question arose whether all those efforts had produced adequate results.

84. His Government was fully committed to working with others to review and update international human rights standards and facilitate their application. In particular, it remained firmly committed to the principles set forth in the Convention on the Rights of the Child and, to that end, had set up a separate ministry for the protection of children. One pioneering measure it had taken was to remove all child workers from the garment industry and to place them in educational establishments.

85. The protection of human rights, the right to development and the promotion of democratic principles were interrelated and should be given equal financial support. In the same spirit, all human rights must be treated globally in a fair and equitable way.

86. He hoped that the Commission's resolutions at its current session would reflect objectivity, non-selectivity and transparency. Politicization of human rights issues and selective condemnation of countries for human rights violations were not in accordance with the principles set forth in the Vienna Declaration and Programme of Action. It was through dialogue and cooperation,

not confrontation, that meaningful progress could be made. The commitment to foster life and dignity must prevail over differences in national or ethnic perspectives.

87. The process of democratization was inseparable from the protection of human rights. In that connection, his country had embarked on a bold experiment: under a recent Constitutional amendment, an interim authority had been set up to ensure that the next general election would be held in an atmosphere of fairness and transparency.

88. Consistent with its commitment to defend and oppose violations of human rights, and its belief that the United Nations was a force for democracy in the world, his Government was heavily involved in international peace-keeping efforts, as a corollary to its domestic efforts to promote political pluralism and encourage popular participation.

89. He was confident that the next decade would see further strengthening by the Commission of the legal basis and principles for the promotion and protection of human rights. In that connection, he commended the work of the High Commissioner for Human Rights in giving direction to human rights activities throughout the United Nations system. The Centre for Human Rights was doing valuable work but needed strengthening to pursue its activities with enhanced efficiency and transparency. To that end, the High Commissioner for Human Rights might wish to consider the need for greater geographical balance in the composition of the Centre.

90. The immediate alleviation and eventual elimination of poverty, a major obstacle to the enjoyment of human rights, should remain a high priority for the international community. In the context of the promotion and protection of human rights, the gap between the rich and the poor, both within and among nations, must be reduced.

91. The realization of the right to development would largely depend on the international community's willingness and ability to bolster the endeavours of the developing countries through the provision of assistance on favourable terms. Measures such as the removal of aid conditionalities, debt relief, enhanced market access and access to environment-friendly technology would facilitate not only poverty alleviation and sustainable development but also the promotion and protection of human rights in all developing countries.

The meeting rose at 1 p.m.

Annex

List of non-governmental organizations associated with the statement by the World Federation of Methodist Women

Category I

International Alliance of Women
International Abolitionist Federation
International Movement ATD Quart Monde
Soroptimist International
World Conference on Religion and Peace
World Federation of United Nations Associations
Zonta International

Category II

African Association of Education for Development
All India Women's Conference
Asian Women's Human Rights Council
Associated Country Women of the World
Baha'i International Community
Change
Defence for Children International
Inter-African Committee on Traditional Practices
International Council of Jewish Women
International Federation of Social Workers
International Federation Terre des Hommes
International Federation of University Women
International Movement for Fraternal Union among Races and Peoples
International Women's Tribune Center
Lutheran World Federation
National Council of German Women's Organizations
Women's International Zionist Organization
Women's International League for Peace and Freedom
Women's World Summit Foundation
World Alliance of Young Men's Christian Associations
World Federation of Methodist Women
World Union of Catholic Women's Organizations

Roster

Center for Women's Global Leadership
International Baccalaureate Organization
International Movement Against All Forms of Discrimination and Racism
Movement against Racism and for Friendship among Peoples
World Alliance of Reformed Churches